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FIRST CLASS MAIL CERTIFICATE

I hereby certify that this paper is being deposited on this date with the U. S. Postal Service as first class mail addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Bernadette F. Fahey
Bernadette F. Fahey

October 17, 2002
Date

Att. Dkt. No. - REG 132-B1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants: Valenzuela, et al.

U.S. Serial No.: 09/897,322

Examiner: A. L. Holleran

Filing Date: July 2, 2001

Group Art Unit: 1642

Title: **DORSAL TISSUE AFFECTING FACTOR AND COMPOSITION**

October 17, 2002

Commissioner of Patents and Trademarks
United States Patent and Trademark Office
Washington, DC 20231

SIR:

RESPONSE TO THE OCTOBER 2, 2002, RESTRICTION REQUIREMENT

This paper is submitted in connection with the above-identified U.S. Patent Application and is responsive to the Restriction Requirement that was mailed by the United States Patent and Trademark Office on October 2, 2002. A response to the October 2, 2002, Restriction Requirement is due on November 2, 2002 and as such this response is being timely filed.

Detailed Response

Disposition of the Claims

Claims 31-36 are currently pending in the application and are the subject of a Restriction Requirement.

Restriction

The Examiner has taken the position that the subject application contains five separate inventions or groups of inventions and has required restriction to one of

those groups under 35 USC §121. The Examiner has identified these groups as Groups I-V as follows: Group I, claim 31, drawn to a phage; Group II, claim 32, drawn to a culture medium comprising a peptide of SEQ ID NO:2; Group III, claim 33, drawn to an isolated receptor that binds noggin; Group IV, claim 34, drawn to a hybridization probe; and Group V, claims 35 and 36, drawn to methods of treatment.

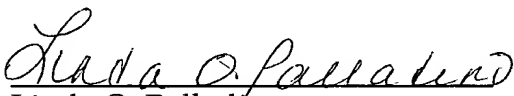
Election

Applicants hereby provisionally elect Group V, consisting of claims 35 and 36, without traverse.

Applicants reserve the right to file a divisional application for the claimed subject matter of Groups I-IV and do not waive any rights or abandon any subject matter in the non-elected claims of Groups I-IV.

No fee is deemed necessary in connection with filing this paper. However, if any fee is necessary, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 18-0650.

Respectfully submitted,


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